

State Water Resources Control Board

March 13, 2018

(Via email and Certified Mail)
CERTIFIED MAIL
NO. 7017 2680 0000 6195 8374

Mr. Devon Toda
Compliance Manager
City of Santa Clara
1700 Walsh Avenue
Santa Clara, California 95050
dtoda@santaclaraca.gov

**SUBJECT: NOTICE OF VIOLATION; UNDERGROUND STORAGE TANK SYSTEMS
LOCATED AT CITY OF SANTA CLARA FIRE STATION #1, 777 BENTON
STREET, SANTA CLARA**

Dear Mr. Toda:

As part of an initiative by the State Water Resources Control Board (State Water Board) to ensure compliance at government-owned and/or operated underground storage tank (UST) facilities in California, the State Water Board staff inspected the USTs at your facility on March 7, 2018, pursuant to authority under Health and Safety Code (H&SC), chapter 6.7, section 25289.

The State Water Board has identified the following violations pursuant to H&SC, chapter 6.7, and California Code of Regulations (CCR), title 23, chapter 16:

No.	Violation	Tank	Start Date	Stop Date	Regulation
1	Failure to Maintain Plot Plan/Site Map – An approved plot plan/site map indicating the location of the product piping, tanks, and auxiliary equipment with respect to buildings or other landmarks, such as the street, was not available in CERS or onsite at the time of the inspection.	All	March 7, 2018	Ongoing	H&SC 25286(a); 23 CCR 2711(a)(8)
2	Failure to Monitor Product Piping – The sensor located inside the diesel piping sump was unable to detect a leak at the earliest opportunity because the sensor was not in a vertical position. Corrected at the time of inspection.	Diesel	March 7, 2018	March 7, 2018	23 CCR 2630(d)

No.	Violation	Tank	Start Date	Stop Date	Regulation
3	Failure to Maintain Monitoring Plan – Under pipe monitoring, suction piping meets exemption criteria lists "yes," whereas it should list "no." A conventional suction system was observed at the time of inspection. Additionally, under training, personnel with UST monitoring responsibilities lists "no"; whereas, it should list "yes."	All	March 7, 2018	Ongoing	H&SC 25286(a); 23 CCR 2632(d)(1)
4	Failure to Maintain UST Monitoring System – The green power bulb on the Veeder Root monitoring system was not functioning at the time of inspection.	All	March 7, 2018	Ongoing	H&SC 25291(b); 23 CCR 2630(d)

You are directed to correct the ongoing violations and submit compliance documentation to the State Water Board and Santa Clara City Fire Department within sixty (60) days from the date of this letter. Have your Designated Operator make specific notations in the next monthly designated operator report indicating the ongoing violations have been corrected. The monthly designated operator report and any associated photos must be submitted as proof of compliance. Lastly, please ensure that all liquids and debris are removed from the unleaded tank piping sump.

Please send all compliance documentation to the following:

State Water Board

Mr. Douglas McDevitt
UST Enforcement Unit
Office of Enforcement
State Water Resources Control Board
801 K Street, Suite 2300
Sacramento, California 95814
douglas.mcdevitt@waterboards.ca.gov

Local CUPA

Mr. Fredrick Chun
Assistant Fire Marshal
Santa Clara City Fire Department
1675 Lincoln Street
Santa Clara, California 95050
fchun@santaclaraca.gov

Pursuant to Health and Safety Code, chapter 6.7, section 25299, the owner and operator of the tank(s) are liable for a penalty of \$500 to \$5,000 per tank, per day of violation. These penalties will continue to accrue until the violations have been corrected.

If you have any questions, please contact me at (916) 341-5551, or by email at amantha.henkel@waterboards.ca.gov.

Sincerely,



Amantha Henkel
Senior Environmental Scientist
UST Enforcement Unit
Office of Enforcement

cc: See next page.

cc: *(via email only)*

Mr. Frederick Chun
Assistant Fire Marshal
City of Santa Clara
fchun@santaclaraca.gov

Mr. Chris Fazzi
City of Santa Clara
cfazzi@santaclaraca.gov